

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE:
JEFF TRIMMIER SIMS

CASE NO: 10-61117-CAG

CHAPTER 13

Debtor

**TRUSTEE'S MOTION TO DISMISS AND
NOTICE OF OPPORTUNITY FOR HEARING**

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR
INTERESTS.**

**IF NO TIMELY RESPONSE IS FILED WITHIN (21) DAYS FROM THE DATE OF
SERVICE, NO HEARING WILL BE HELD AND THE RELIEF REQUESTED IN THE
MOTION MAY BE GRANTED WITHOUT A HEARING BEING HELD. A TIMELY
FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.**

**IF YOU FILE A TIMELY RESPONSE, A HEARING WILL BE HELD ON THE MOTION
ON THE 2ND DAY OF FEBRUARY, 2011 AT 9:00 A.M. AT WACO BANKRUPTCY
COURTROOM NO. 1, 800 FRANKLIN AVE, SUITE 160, WACO, TX 76701.**

The Trustee in this case states that the Debtor is in material default in the amount of \$572.00 as of December 28, 2010 . Please note that the default figure noted above may include the current month's plan payment. This case has not been previously converted from another Chapter of Title 11.

A copy of the Trustee's report dated December 28, 2010 is attached (report will not be attached if no payments have been received.) This report discloses that the Debtor is material default on the payments all without demonstrated justification. Wherefore, the Trustee moves that the subject case be dismissed and for such other and further relief to which he may be entitled.

Dated: December 28, 2010

Respectfully Submitted

/s/Ray Hendren

Ray Hendren, Chapter 13 Trustee
3410 Far West Blvd
Suite 200
Austin, Tx 78731
Main: (512)474-6309
Fax: (512)482-8424

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE: CHAPTER 13

JEFF TRIMMIER SIMS

DEBTOR(S)

CASE NO.: 10-61117

09/27/2010

000000000230903

\$286.00

\$286.00

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to all parties listed on the matrix on file with the U.S. Bankruptcy Clerk's Office on or about the time this document was electronically filed with the Clerk on December 28, 2010. A copy of the Certificate of Mailing of this document is on file and may be viewed at the U.S. Bankruptcy Clerk's Office.

/s/Ray Hendren

Ray Hendren, Chapter 13 Trustee

December 28, 2010